



King County

Administrative Policies and Procedures

Title: Domestic Violence in the Workplace

Document Code No.: PER 18-5-2 (AEP)

Department/Issuing Agency: Office of Human Resources Management

Effective Date: September 10, 2006

Approved: /s/ Ron Sims

Type of Action: Superseding PER 18-5-1

1.0 SUBJECT TITLE: Domestic Violence in the Workplace

1.1 EFFECTIVE DATE: September 10, 2006

1.2 TYPE OF ACTION: Supersedes PER 18-5-1

1.3 KEY WORDS: Domestic Violence, Workplace

2.0 PURPOSE: King County will not tolerate acts of domestic violence in the workplace. Due to privacy rights and workplace pressures, King County often will not be aware of circumstances of domestic violence that have occurred. The intent of this policy is to encourage employees at risk to seek help and to offer a model of support and referral when a situation of domestic violence is known to potentially cause risk in the workplace.

3.0 ORGANIZATIONS AFFECTED: Applicable to all Executive Departments and Offices.

4.0 REFERENCES:

4.1 PER 18-7 (AEO) Workplace Violence Prevention.

4.2 PER 18-8 (AEO) Workplace Violence Prevention.

5.0 DEFINITIONS:

5.1 "Domestic Violence" means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another, or (c) stalking as defined in RCW 9A46.110 of one family or household member by another family or household member.

5.2 "Family or household members" means spouses, former spouses, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

5.3 "Dating relationship" means a social relationship or a romantic nature. Factors that may be considered in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.

5.4 "Workplace" is defined as county facilities, county vehicles, county premise, employer-sponsored events, or while conducting county business. Telecommuting work sites are not included in the definition of "workplace" for purposes of this policy.

6.0 POLICIES:

6.1 The County will not tolerate domestic violence in the workplace.

6.2 The County will make reasonable efforts, when circumstances of domestic violence are known to the employee's manager, to:

6.2.1. Encourage an employee who is a victim of domestic violence to seek assistance.

6.2.2 Provide referrals, as appropriate.

6.2.3 Create a workplace safety plan, when appropriate, or take other reasonable measures as outlined in 7.3.

6.2.4 Post information about domestic violence and available resources in county buildings where appropriate.

6.3 The County shall take corrective or disciplinary action up to and including termination against the employee in cases where there is cause to believe the employee:

6.3.1 Used County resources to perpetrate domestic violence;

6.3.2 Threatened, or committed an act of domestic violence in the workplace; or

6.3.3 Perpetrated off-duty domestic violence that affects job performance or has an employment related nexus.

6.4 The County shall ensure that managers, supervisors and human resource professionals receive information on domestic violence.

7.0 PROCEDURES:

Action By

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Employee

7.1 Employees who are the victim of domestic violence are encouraged, as appropriate, to take the following steps:

7.1.1 If imminent danger exists, call 911.

7.1.2 Ask for assistance from a supervisor, manager, or human resources professional.

7.1.3 Notify the supervisor, manager, or human resources professional of any safety or security concerns related to your employment, including your work assignment or work location.

7.1.4 Contact the Employee Assistance Program and/or other resources for assistance.

7.1.5 If a court order has been issued that prohibits the perpetrator from contacting the employee as a result of domestic violence, provide a copy of the order to the supervisor, manager, or human resources professional. Submit a recent photograph or detailed description of the perpetrator to the supervisor, manager, or human resources professional.

7.2 Employees who believe they have witnessed domestic violence in the workplace shall notify a manager, supervisor, or human resources professional immediately.

Manager/Supervisor

7.3 If a manager or supervisor becomes aware that an employee is a victim of domestic violence, the following steps which are reasonable and practical in the work place setting should be taken as appropriate:

7.3.1 If imminent danger exists, call 911.

7.3.2 Consult with the Employee Assistance Program and the department's human resource professional for advice and assistance in developing a strategy for addressing the issue.

7.3.3 Where appropriate, develop a workplace safety plan in consultation with the employee who is a victim of domestic violence, the Employee Assistance Program, the human resources professional, or other appropriate resources.

7.3.4 Encourage the employee who is a victim of domestic violence to seek assistance from the Employee Assistance Program and/or other resources.

7.3.5 For safety or security reasons, consider the following assistance when requested by an employee who is a victim of domestic violence, if consistent with the practical realities of operating the business:

7.3.5.1 Temporarily adjusting or changing the employee's work schedule;

7.3.5.2 Temporarily changing the employee's work site;

7.3.5.3 Grant accrued or unpaid leave with the provisions of the Personnel Guidelines, collective bargaining agreements, and Title III of the King County Code to allow employees who are victims of domestic violence to obtain medical treatment, counseling, legal assistance, temporarily to leave the area, or to make other interim arrangements to create a safer situation for themselves;

7.3.5.4 Other assistance as may be deemed reasonable and appropriate by management.

7.3.6 If provided with a current court order prohibiting the perpetrator from contacting the employee victim, take business-practical and reasonable measures to facilitate compliance with the order within

the workplace.

7.3.6.1 Retain a copy of the court order and provide a copy to law enforcement, building management and building security personnel if, due to a violation of the order, police are summoned to the workplace.

7.3.6.2 If provided a photograph of the perpetrator, ensure that a copy of the photograph is provided to building management, building security and appropriate staff in a position to observe visitors to the working area.

7.3.7 To the extent possible, treat information about an employee victim, including the victim's whereabouts, as confidential. Where necessary, apply restrictions to internal telephones, electronics, standard information dissemination protocols, departmental and county publications, to the extent allowed by law and consistent with business needs.

7.3.7.1 Consult with the Information Technology management in the Office of Information Resources Management to identify potential tools and strategies to restrict access to the employee.

Manager/Supervisor/Human Resources Professional

7.4 If a manager, supervisor, or human resource professional becomes aware of an employee who is a perpetrator of domestic violence in the workplace, the following steps should be taken, as appropriate:

7.4.1 If imminent danger exists, call 911.

7.4.2 If necessary, take reasonable and practical steps to provide for the safety of persons present in the workplace as outlined herein.

7.4.3 If there is reason to believe a crime has been committed, call the police and cooperate with any police investigation.

7.4.4 Consult with the departmental HR Service Delivery Manager to determine whether an employment investigation

should be conducted. (Note: To the extent possible the employment investigation should be conducted in a manner that will not interfere with any criminal investigation.)

7.4.5 Impose corrective action or discipline as appropriate.

7.4.6 Consult the Workplace Violence Prevention policy PER 18-7 and PER 18-8 (AEO)

8.0 RESPONSIBILITIES:

8.1 Human Resources Management shall be responsible for the dissemination of the policy; providing information and training on issues of domestic violence in the workplace to supervisors and managers; providing educational opportunities to county employees on the subject of domestic violence and posting information about domestic violence and available resources in county buildings where appropriate.

NOTE: King County does not tolerate domestic violence in the workplace or domestic violence which has a job-related nexus. Such actions are misconduct in violation of this policy and may be subject to discipline, up to and including termination. However, this policy does not create an employment contract or term or limit the reasons for dissolution of the employment relationship. This policy does not constitute an express or implied contract, specific promise or duty. It is a general statement of King County policy, which cannot form the basis for a private right of action.

9.0 APPENDICES:

Domestic Violence Resources:

Emergency Phone Numbers:

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| Law Enforcement | 911 |
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Domestic Violence Referrals for Victims:

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| Washington State Domestic Violence Hotline | 1-800-562-6025 |
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Legal Resources:

Protection Order Advocacy Program

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| Seattle, King County Courthouse | (206) 296-9547 |
| Room C213 | (206) 205-6198 |
| | TTY |

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| Kent, Regional Justice Center | (206) 205-7406 |
| Suite 2B | |

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| Employee Assistance Program | (206) 684-2103 |
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Domestic Violence Web Sites:

www.metrokc.gov/dvinfo/
www.metrokc.gov/proatty/index.htm

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| Domestic Violence Recorded Information Phone Line | (206) 205-5555 |
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Updated: September 10, 2006